



Instructions for Completing the CAIR Permit Application

Use these instructions to complete the permit application form DEP-CAIR-APP-400, prepare supporting documents and publish the applicant's notice of permit application. These instructions are not a substitute for the requirements of the relevant statutes and any regulations thereunder. You should review all applicable laws prior to completing this application. Remember, it is your responsibility to comply with all applicable laws.

Introduction

The Clean Air Interstate Rule (CAIR) is intended to reduce regional transport of pollutants and assist downwind nonattainment areas in achieving the National Ambient Air Quality Standards. As of May 1, 2009, the CAIR Nitrogen Oxides (NO_x) Ozone Season Trading Program established in section 22a-174-22c of the Regulations of Connecticut State Agencies will replace the Post-2002 NO_x Budget Program established in section 22a-174-22b of the Regulations of Connecticut State Agencies.

CAIR permit applications will be incorporated into a facility's Title V operating permit as a complete and separable portion of the Title V operating permit. CAIR permits will be administered in accordance with section 22a-174-33(s). For further information concerning CAIR permits, please contact the Bureau of Air Management's Engineering Section at 860-424-4152.

Who Needs a Permit?

Any CAIR NO_x Ozone Season source (as defined in 40 Code of Federal Regulations 96.302) required to have a Title V operating permit shall obtain a CAIR permit. Each CAIR NO_x Ozone Season unit (as defined in section 22a-174-22c of the Regulations of Connecticut State Agencies) shall be included in the CAIR permit.

An operator or owner seeking a CAIR permit must submit a complete CAIR permit

application package. For a CAIR NO_x Ozone Season source with more than three years remaining on the facility's Title V operating permit term, the CAIR permit will be incorporated into the Title V operating permit as a modification to such permit in accordance with section 22a-174-33(s) and section 22a-174-2a(d) of the Regulations of Connecticut State Agencies. For a CAIR NO_x Ozone Season source with less than three years remaining on its Title V operating permit, the CAIR permit will be incorporated into the Title V operating permit at the time of renewal in accordance with section 22a-174-33(s) of the Regulations of Connecticut State Agencies. The CAIR permit expiration date will be the same as the Title V operating permit expiration date.

Any person proposing to continue operating a previously permitted CAIR NO_x Ozone Season source must apply for renewal of the existing permit by submitting a sufficient permit application at least twelve months prior to the expiration date of the existing permit. If your application is or may be untimely, (i.e., submitted less than twelve months before the expiration date), please refer to section 22a-6j of the Connecticut General Statutes (CGS). If a renewal application is not submitted prior to the expiration date of the existing permit, then the existing permit is deemed to have expired.

If you are applying for a *modification* or a *minor permit amendment* of an active, valid permit, you may be required to submit certain parts of, or an entire, individual permit application. For further information concerning modifications,

please contact the Bureau of Air Management's Engineering Section at 860-424-4152.

Any person proposing to transfer a CAIR permit must submit a complete CAIR permit application (DEP-CAIR-APP-400). This form may be used for changes in owners or operators of the licensed activity. If other changes are proposed to the facility, the site, and/or to facility operations, the proposed transferee must also request a permit modification. A change to the CAIR permit reflecting a transfer in ownership will be processed as a Title V operating permit revision in accordance with section 22a-174-2a(f) of the Regulations of Connecticut State Agencies. The submission of this form will satisfy the Title V operating permit revision notification. The permit revisions for both CAIR and Title V will be processed concurrently. Please note that other types of permits (i.e. NSR) at the facility may also need to be transferred. For those permits a *Permit Transfer Form* (DEP-APP-006) and a transfer fee are required.

For further information concerning permit transfers or to obtain a *Permit Transfer Form*, please contact the Permit Assistance Office at 860-424-3003.

How To Apply

Your permit application must include the following:

- A *Permit Application Transmittal Form* (DEP-APP-001)
- A *CAIR Permit Application* (DEP-CAIR-APP-400)

You must submit the above materials together as a package to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

Refer to the Available Resources Section at the end of these instructions to obtain all required documents related to the subject

permit application.

When additional space is necessary to answer a question stated in the application, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name as indicated on the *Permit Application Transmittal Form*, along with the corresponding part number and question number indicated on the permit application form. You should retain a copy of all documents for your files.

Fees

There are no fees associated with a CAIR permit.

Notice of Permit Application

Section 22a-6g CGS imposes public notification requirements on applicants for certain permits issued by the Department of Environmental Protection (DEP).

In order to comply with these requirements, you must:

1. Immediately after you submit your application to DEP, publish notice of the permit application in a newspaper of general circulation in the area potentially affected by the activity that is the subject of your permit application. Refer to the following list (www.ct.gov/dep/lib/dep/permits_and_licenses/newspapers.pdf) for newspapers of general circulation in Connecticut. This notice must follow the format appearing at the end of these notice instructions. The format contains instructions in brackets. You must insert the appropriate information to replace the instructions in the brackets. Be sure to *delete* all instructions that are specified in brackets, in bold and in uppercase type. When a choice is specified in brackets, do not include any of the words in brackets unless they specifically apply to the activity you intend to conduct.
2. Send a copy of the notice to the chief elected official of the municipality in which the regulated activity is proposed. The chief

elected official is generally the mayor, first selectman, town manager or the chairman or president of the town council, depending on the form of government of the municipality. Specific information for each municipality is listed in The State Register and Manual (often referred to as the Blue Book), which is available on the Secretary of the State's website (www.sots.ct.gov), and is also usually available at town clerk's offices, the State Library and public libraries. The Secretary of the State's website also has a list of mayors and first selectmen available. If you have questions, you can call the Secretary of the State's office at 860-509-6190 or the town clerk of the appropriate municipality.

3. Attach a copy of the published notice to a completed *Certification of Notice Form - Notice of Application* (DEP-APP-005A). This form asks you to:
 - a. specify the specific date and newspaper in which the notice was published;
 - b. certify that the attached notice is a true copy; and
 - c. list the municipal official(s) to whom the notice was provided.

This form and a copy of the published notice must be mailed to:

ENGINEERING SECTION
BUREAU OF AIR MANAGEMENT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

If you have any questions about these notice requirements contact the Engineering Section at 860-424-4152.

Your application will not be processed until DEP receives the Certification of Notice Form – Notice of Application with the attached copy of the notice.

Notice of Permit Application

Town(s): [LIST ALL TOWNS IN WHICH THE REGULATED ACTIVITY IS LOCATED OR WILL HAVE AN EFFECT]

Notice is hereby given that **[INSERT NAME OF APPLICANT HERE]** (the "applicant") of **[INSERT ADDRESS OF APPLICANT HERE]** has submitted to the Department of Environmental Protection (Department) an application for a Clean Air Interstate Rule (CAIR) source under section 22a-174 of the Connecticut General Statutes and sections 22a-174-22c and 22a-174-33 of the Regulations of Connecticut State Agencies.

Specifically, the applicant is required to operate a **[INSERT A BRIEF DESCRIPTION OF THE CAIR SOURCE]** in accordance with the Department's CAIR NOx Ozone Season Trading Program and therefore is required to submit an application to incorporate the CAIR requirements into the applicant's Title V operating permit. The proposed activity will take place at **[INSERT THE STREET ADDRESS OR IF NOT AT A STREET ADDRESS GIVE THE SPECIFIC LOCATION OF THE PROPOSED ACTIVITY WITH REFERENCE TO FIXED LANDMARKS E.G., ROADWAY INTERSECTIONS, BRIDGES, OR OTHER STRUCTURES]**. Emissions from this facility will not change as a result of participation in the CAIR NOx Ozone Season Trading Program.

Interested persons may obtain copies of the application from **[INSERT NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF THE APPLICANT'S REPRESENTATIVE]**.

The application is available for inspection at the Department of Environmental Protection, Bureau of Air Management, 79 Elm Street, 5th Floor, Hartford, CT 06106-5127, 860-424-4152 from 8:30 to 4:30 Monday through Friday.

Permit Application Instructions (DEP-CAIR-APP-400)

Please read the application form and instructions carefully. They have been designed to obtain specific information and any information that is missing or unclear will cause delays in the review process. If any questions are not applicable to your specific activity, please enter "N/A" in the space provided. If a question is only required for specific activities it will be noted on the application form and in the instructions.

Please be advised that these instructions are not a substitute for any state or federal statutes or

regulations. Be sure to refer to the applicable statutes and regulations while completing your application.

Part I: Application Type

Please indicate whether you are applying for a new permit, for a renewal of an existing permit, for a modification of an existing permit, or for a revision due to a change in ownership, by checking the appropriate box. A permit is deemed to be "existing", *only* if it has not yet expired on the date you file your application. Please provide the existing CAIR permit number, if applicable.

Part II: Title V Information

Please provide the existing Title V operating permit number and expiration date. Indicate the remaining term of the Title V operating permit.

Part III: Applicant Information

When completing this part, please use the following standards:

- *Name* - Provide the full, legal *company/firm* name. (If identifying an entity registered with the Secretary of the State, fill in the name exactly as it is shown on the registration.) If identifying an *individual*, provide the full legal name (include title and suffix) in the following format: Title (Ms, Dr, etc.); First Name; Middle Initial; Last Name; Suffix (Jr, PE, PhD, etc.).
 - *Phone* - Unless otherwise indicated, the phone number provided should be the number where the individual can be contacted during daytime business hours.
 - *Contact Person* - Provide the name of the specific individual within the company whom DEP may contact.
 - *E-Mail Address* – Unless otherwise indicated, the e-mail address provided should be the address where the individual can be contacted during daytime business hours.
1. *Applicant* - Fill in the applicant's information exactly as it appears on the *Permit Application Transmittal Form*.
 2. *Facility or Equipment Operator* - List the information for the entity responsible for *managing* the facility operation. The operator may be different than the owner. Examples of separate owner and operator are a lessee of the land or buildings on which the facility is located, or a person under contract specifically to conduct the day-to-day business of the facility.

3. *Facility or Equipment Owner* - List the information for the entity which owns the facility or equipment. The owner may be different than the operator. Examples of separate owner and operator are a lessee of the land or buildings on which the facility is located, or a person under contract specifically to conduct the day-to-day business of the facility.
4. *Engineers or Consultants* – List the information for any engineers or other consultants employed or retained to assist in preparing the application. Also indicate the type of service or assistance provided. (Note: You are not required to employ or retain an engineer or consultant to prepare this application.)

Part IV: Premises Information

1. The facility name, if applicable, should be the name by which the facility is commonly known and/or uniquely identified.

The information given as the location address should be the address of the property at which the proposed activity will take place. Include the street address and municipality. If the property does not have a street number, describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river. For example, “. . . on River Street, approximately 1000 feet north of its intersection with Bear Swamp Road.”

2. *ORIS/Facility Code*: This code is a unique identifier that is assigned to each power plant by the Energy Information Administration (EIA). ORIS originally referred to the Office of Regulatory Information Systems in the Department of Energy's Energy Information Administration. EIA can be reached at 202-586-2402.

Part V: Type of CAIR NOx Ozone Season Unit

For each CAIR NOx Ozone Season unit as defined in section 22a-174-22c of the Regulations of Connecticut State Agencies, enter the emissions unit (EU) number. The EU number should be the same number designated in the Title V operating permit for the unit. Identify the type of CAIR NOx Ozone Season unit for each EU.

Part VI: Permit Standard Requirements

Please read the permit standard requirements listed under this part in the application form. You will be certifying, in Part VII of the application form, that you have read these requirements and that the activities that are the subject of your application are eligible for a CAIR permit.

Part VII: Applicant Certification

After the application has been completed it must be reviewed and signed by the CAIR designated representative, the Title V authorized representative and the individual(s) who actually prepared the application. This includes consultants, professional engineers, etc. By their signature, they certify that to the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete.

The certification of the application package must be signed as follows:

1. For an individual(s) or sole proprietorship: by the individual(s) or proprietor, respectively;
2. For a corporation: by a principal executive officer of at least the level of vice president;
3. For a limited liability company (LLC): a manager, if management of the LLC is vested in a manager(s) in accordance with the company's "Articles of Organization", or a member of the LLC if no authority is vested in a manager(s);

4. For a partnership: by a general partner; or
5. For a municipal, state, or federal agency or department: by either a principal executive officer, a ranking elected official, or by other representatives of such applicant authorized by law.

An application will be considered insufficient unless all required signatures are provided.

Available Resources:

Below is a list of possible resources for specific information required for this application. Be sure to also check the DEP website, www.ct.gov/dep and your local town hall or library for maps and other reference materials.

Both the DEP Maps and Publications 860-424-3555 and the DEP File Room 860-424-4180 are located on the store level at 79 Elm Street, Hartford, CT. Please call the appropriate office in advance for hours of operation.

For general assistance regarding the subject permit application contact the Bureau of Air Management's Engineering Section at 860-424-4152.

For the subject permit application form, instructions and other required documents visit the DEP website at: www.ct.gov/dep/permits&licenses (Air, Waste, Water, Land Use/Air Emissions Permits and General Permits)

State and federal statutes and regulations are available for review at various locations:

On the web:

- State Statutes
www.cga.ct.gov/asp/menu/Statutes.asp
- DEP website for Statutes and Regulations: www.ct.gov/dep/laws-regs
- US EPA website for Federal Laws, Regulations (Code of Federal Regulations; CFR), Policy Guidance and Legislation: www.epa.gov/lawsregs/

Book Format:

- State Library (Hartford)
- University Law Schools (UConn-Hartford, Yale)
- Superior Courthouse Libraries (located throughout the state)
- Town Halls and Libraries (statutes)